

REMARKS

Applicants have carefully reviewed and considered the Final Office Action mailed on February 9, 2004, and the references cited therewith:

Claims 8, 17, and 22 have been amended. No claims have been canceled or added. As a result, claims 4-27 remain pending in this application.

For the convenience of the Examiner, Applicants' remarks concerning the specification, drawings, and claims will be presented in the same order in which the Examiner presented them in the Office Action.

Information Disclosure Statement
Previously Submitted on March 6, 2003

Applicants filed an Information Disclosure Statement with the U.S. Patent Office on March 6, 2003. To date, Applicants have not received the Form 1449 filed therewith and marked as being considered by the Examiner. Pursuant to the provisions of MPEP §609, Applicants request that a copy of the Form 1449, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Proposed New Figures 7 and 8

In the Office Action dated November 6, 2002, the Examiner objected to the drawings under 37 CFR 1.83(a). Applicants attempted to comply with the Examiner's request by submitting new Figures 7 and 8, together with corresponding written description, in Applicants' "Amendment & Response Under 37 C.F.R. 1.116" filed on January 29, 2003. However, the Examiner subsequently asserted that this constituted new matter. Accordingly, without waiver or prejudice, Applicants are submitting revised Figures 7 and 8, along with a revised written description of the revised Figures 7 and 8.

Applicants respectfully assert that they have no intention of introducing new matter. Applicants assert that all of the subject matter shown in proposed new Figures 7 and 8 and described in the corresponding amendment to the written description is fully supported by Applicants' original figures and/or written description, as Applicants will show below.

Applicants will first reiterate precisely those elements that the Examiner requested to be illustrated in the drawings, and then Applicants will show where support is found for those elements in the original written description. The purpose of doing this is to demonstrate to the Examiner that Applicants' proposed new Figures 7 and 8 illustrate the structure mentioned by the Examiner in the Office Action dated November 6, 2002, and that they illustrate *only* that structure. It is also to demonstrate to the Examiner that showing such structure in proposed new Figures 7 and 8 is based solely upon the original written description, and that no new matter has been introduced.

Applicants respectfully remind the Examiner that it is a long-established principle of patent law that information contained in any one of the specification, claims, or drawings of the application as originally filed may be added to any other part of the application without introducing new matter. MPEP §2163.06.

Elements Required by the Examiner
To Be Included in the Drawings

The Examiner stated in the Office Action dated November 6, 2002, that the following features of the personal digital assistant (PDA) of claim 4 must be shown:

“a wireless transmitter to transmit electronic voice signals to personal computer (PC); a wireless receiver to receive translated voice”

Proposed Figure 7 shows a wireless transceiver 150. Support for what the wireless transceiver transmits and receives may be found elsewhere within the written description, as will be explained in greater detail below.

The Examiner also stated in the Office Action dated November 6, 2002, that the following feature of the personal digital assistant (PDA) of claims 18-21 must be shown:

“a microphone is located at a second end of the stylus”

Proposed Figure 7 shows a microphone 106. In addition, original Figure 2 shows a stylus 110 having a first end 112 having a point, and an opposite end 114 which includes a microphone 120 (see page 4, lines 5-7 of original written description).

The Examiner also stated in the Office Action dated November 6, 2002, that the following feature of the personal digital assistant (PDA) of claim 22 must be shown:

“a storing electronic voice signals on the PDA”

Applicants respectfully assert that the function of “storing electronic voice signals on the PDA” should not need to be illustrated under 37 CFR 1.83(a), because this involves the performance of a function rather than physical structure. Normally, drawings are not required for process claims. See MPEP 601.01 (f), which states that it is USPTO practice to treat an application that contains at least one process or method claim as an application for which a drawing is not necessary for an understanding of the invention under 35 U.S.C. 113 (first sentence). However, Applicants would be willing to submit a suitable flow diagram to support claim 22, if the Examiner believes it would facilitate a better understanding of the inventive subject matter.

The Examiner also stated in the Office Action dated November 6, 2002, that the following feature of the personal digital assistant (PDA) of claims 24-25 must be shown:

“a microphone built into the PDA”

Proposed Figure 7 shows a microphone 106. In addition, original Figure 1 shows a microphone 106 built into PDA 100 (see page 3, lines 12-15 of original written description).

Support For Proposed New Figure 7

No new matter has been added. Support for every element of proposed new Figure 7 may be found in the application as originally filed.

For the Examiner's convenience, Table I below lists the elements shown in the block diagram of Figure 7 and the corresponding support in the original written description.

TABLE I

<u>Element</u>	<u>Support</u>
MIC 106	Figure 1, MIC 106
Memory 142	Page 3, line 26-27; page 6, line 20
Tx / Rx 150	Page 5, lines 22-26; claim 8, line 13
Link 152	Page 3, lines 22-25; page 4, lines 18-20
Link 154	Page 5, lines 12-13

Although the original written description may not explicitly state that the PDA has a "memory", it states that translated data (page 3, line 26) or voice signals (page 6, line 20) are stored in the PDA. Applicants respectfully assert that one of ordinary skill in the art would understand that such translated data or voice signals would be stored in a memory.

Although the original written description doesn't explicitly say that the PDA has a "transceiver", it states the following on page 5, lines 22-26:

"In a second embodiment shown in Figure 5, stylus 110 transmits voice data to personal digital assistant 100. The personal digital assistant transmits the received voice data to personal computer 200. The personal computer then translates the received voice signals into data, and transmits the translated data back to the personal digital assistant."

Applicants respectfully assert that one of ordinary skill in the art would understand that the above-described transmission functions would be performed by a transceiver in the PDA, or equivalently by a separate transmitter and receiver. If the Examiner would prefer that a separate transmitter and receiver be shown in Figure 7 in place of transceiver 150, Applicants would be willing to modify Figure 7 accordingly.

**Additional Elements Suggested By Applicants
To Be Included in the Drawings**

Applicants also submit new Figure 8 to satisfy the requirements of 37 CFR 1.83(a). Figure 8 supports the claim limitations pertaining to a personal computer (PC).

Claim 8 is believed to be the only claim that recites physical elements of a personal computer (PC). Claim 8 recites a processor, speech recognition software, a wireless receiver, and a wireless transmitter. Proposed Figure 8 shows a processor 210, voice translation software 208 (also referred to in the original written description as “speech recognition software”), and a wireless transceiver 212.

Support For Proposed New Figure 8

No new matter has been added in proposed new Figure 8. Support for every element of the proposed new Figure 8 may be found in the application as originally filed.

For the Examiner’s convenience, Table II below lists the elements shown in the block diagram of Figure 8 and the corresponding support in the original written description.

TABLE II

<u>Element</u>	<u>Support</u>
Processor 210	Page 1, lines 11-22, describing a known personal computer having a processor and speech-recognition software
Voice translation software 208	Page 1, lines 11-22; page 5, lines 8-10 and line 21; page 6, lines 16-17; claim 8, lines 9-10
Tx / Rx 212	Page 5, lines 7-13
Link 214	Page 5, lines 7-8
Link 216	Page 5, lines 10-17

Although the original written description doesn’t explicitly state that the PC has a “transceiver”, it states the following on page 5, lines 7-13:

“The personal computer includes a wireless receiver for receiving wireless transmissions from the stylus. Voice signals received by the personal computer are translated into computer recognizable or readable data. While the voice signals received by the personal computer can be used by the personal computer to perform more processing or other operations, it is intended, in the present system, that the personal computer transmits translated voice information to the personal digital assistant 100 via wireless communication.”

Applicants respectfully assert that one of ordinary skill in the art would understand that the above-described functions of receiving and transmitting would be performed by a transceiver in the PC, or equivalently by a separate transmitter and receiver. If the Examiner would prefer that a separate transmitter and receiver be shown in Figure 8 in place of transceiver 212, Applicants would be willing to modify Figure 8 accordingly.

Amendments to the Specification

On page 3, line 25, the following sentence has been inserted: "In any event, the stylus is in the immediate vicinity of the PDA.". No new matter has been added. Support may be found, for example, in Figure 1; on page 3, lines 22-5; and on page 4, lines 10-20. The purpose of this amendment is to provide support for similar language in claims 17 (as currently amended), 22 (as currently amended), and 22 (as previously amended).

On page 6, the nine paragraphs (regarding Figures 7 and 8) that were instructed to be inserted on page 6 in Applicants' "Amendment & Response Under 37 C.F.R. 1.116" filed on January 29, 2003, have been deleted. Two paragraphs describing proposed new Figures 7 and 8 have been substituted. Support in Applicants' original written description may be found in the same locations indicated for corresponding elements of Figures 7 and 8.

In addition, support for "FAX machine" and "network" may be found on page 4, line 3, of the original written description. No new matter has been added.

Amendments to the Claims

Claims 8, 17, and 22 have been amended.

Independent claim 8 has been amended by substituting "a stylus" for "the stylus" (first occurrence of "stylus"), and by substituting "the stylus" for "a stylus" (second occurrence of "stylus").

Dependent claim 17 has been amended by inserting "wherein the stylus is in the immediate vicinity of the PDA, the method" in the preamble; by substituting "the PDA is located geographically away from the PC such that communication between the PDA and the PC is not possible" for "the stylus attempts to wirelessly transmit the electronic voice signals to the PC, but the PC is not within communicating distance of the stylus"; by substituting "when the PDA is

located geographically away from the PC such that communication between them is not possible” for “if the PC is not within communicating distance of the stylus”; and by substituting “when the PDA is located geographically such that communication between the PDA and the PC is possible” for “when the PC is within communicating distance of the stylus”. Support may be found, for example, on page 5, lines 28-30, and on page 6, lines 2-8 of the original written description.

Dependent claim 22 has been amended by inserting “wherein the stylus is in the immediate vicinity of the PDA, the method” in the preamble; by substituting “the PDA is located geographically away from the PC such that communication between the PDA and the PC is not possible” for “the stylus attempts to wirelessly transmit the electronic voice signals to the PC, but the PC is not within communicating distance of the stylus”; and by substituting “when the PDA is located geographically such that communication between the PDA and the PC is possible” for “when the PC is within communicating distance of the stylus”. Support may be found, for example, on page 5, line 28-30, and on page 6, lines 2-8 of the original written description.

No new matter has been added.

Objection Under 35 U.S.C. §132
to Certain Amendments in Applicants'
"Amendment & Response Under 37 C.F.R. 1.116"
of February 6, 2003

Certain amendments in Applicants’ “Amendment & Response Under 37 C.F.R. 1.116” filed on February 6, 2003 were objected to under 35 U.S.C. §132 by the Examiner, who asserted that they introduced new matter.

Applicants have responded to the Examiner’s objection by submitting new Figures 7 and 8 along with a corresponding written description of new Figures 7 and 8. Adequate support for every element appearing in proposed new Figures 7 and 8 and in the proposed written description thereof may be found in the application as originally filed. In addition, Applicants assert that adequate support in the application as originally filed exists for the relationship between such elements shown in new Figures 7 and 8 and in the corresponding written description thereof. See Applicants’ detailed explanations above, regarding proposed new Figures 7 and 8.

Information contained in the specification and claims of the application as filed may be added to the drawings without introducing new matter. MPEP §2163.06, cited above.

For the above reasons, Applicants respectfully request the Examiner to withdraw his objection under 35 U.S.C. 132 and to accept the proposed new Figures 7 and 8 and the corresponding written description thereof.

Rejection of Claims 4-27
Under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 4-27 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Examiner asserted that the claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

The Examiner further stated that the specification as originally filed fails to teach one skilled in the art the recitation of claim 4, lines 2-3 of “a mobile PDA having a wireless transmitter to transmit electronic voice signals to a personal computer” [sic].

Applicants respectfully assert that adequate written support was provided for the underlined language in the original application to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

Specifically, on page 5, lines 24-25 indicate that “voice data” is the same as “voice signals”. On page 5, line 23-24 state that the PDA transmits “voice data” to the PC. Thus, the PDA transmits “voice signals” to the PC.

On page 5, lines 5 and 8 equate “electronic voice signals” and “voice signals”. Thus, the PDA transmits “electronic voice signals” to the PC.

Regarding the limitations of claims 17 and 22 that were referred to by the Examiner, these have been canceled, and language from Applicants’ original written description has been substituted therefor, as mentioned above in the section above entitled “Amendments to the Claims”.

For the above reasons, Applicants respectfully request that the rejection of claims 4-27 under 35 U.S.C. §112, first paragraph, be withdrawn.

Rejection of Claims 1-27
Under 35 U.S.C. §112, Second Paragraph

Claims 1-27 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants note that claims 1-3 were canceled in Applicants' response dated July 10, 2001.

The Examiner asserted that the phrase "translating the electronic voice signals into translated voice data" is unclear. The Examiner asked what the expression "electronic voice signals" means, and what is the difference between electronic voice and voice data.

To respond to the Examiner's specific questions, Applicants respectfully assert that it would be understood by one of ordinary skill in the art, in reading Applicants' application, that "electronic voice signals" are the electrical signals that are generated by microphone 120 when speech is detected. The term "electronic voice signals" is used in the present application to distinguish from speech or "acoustic voice signals" (refer to original claims 4 and 8, for example), which may be input into microphone 120 by a system user. The terms "electronic voice signals" and "voice data" are generally used interchangeably, e.g. on page 4 at lines 20, 24, and 27, and on page 5, at lines 22-25. Likewise, the terms "electronic voice signals" and "voice signals" are generally used interchangeably, e.g. on page 4 at lines 24 and 27, and on page 5 at lines 5 and 8. The term "acoustic voice signals", as used on page 3, line 25 (as amended) and in original claims 1, 4, and 8, is distinguishable, because that term refers to "speech" (page 1, line 14) or "acoustic voice commands" (for the latter, refer to page 3, line 17) and is not shortened to "voice signals" anywhere within the written description, in the manner that "electronic voice signals" is often shortened to "voice signals". If the Examiner would prefer, Applicants would be willing to substitute "acoustic voice commands" for "acoustic voice signals" wherever that term appears in the written description and claims.

Regarding claim 8, line 9, the Examiner asserted that there is insufficient antecedent basis for the limitation "the stylus". Accordingly, claim 8 has been appropriately amended.

For the above reasons, Applicants respectfully request that the rejection of claims 4-27 under 35 U.S.C. §112, second paragraph, be withdrawn.

**Rejection of Claims 4-8, 10-12, 14-15, 18-21 and 23-27 Under 35 U.S.C. §103(a)
as Unpatentable over Stevens in View of Ohashi and Parvulescu**

Claims 4-8, 10-12, 14-15, 18-21 and 23-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Stevens (U.S. 5,769,643) in view of Ohashi (U.S. 5,581,783) and Parvulescu (U.S. 5,724,410).

Stevens discloses an instruction communication network having a first computer 12, which may be operated by a student, and a second computer 14 operated by a teacher. The first and second computers may be in wireless communication with each other (col. 2, lines 53-55). In one embodiment, the first computer 12 may be a personal digital assistant (“PDA”) (see col. 3, lines 34-39) having a display 56, stylus 55, microphone 67, and sound circuitry 65.

Ohashi discloses a multimedia information capturing system comprising a stylus 1 (Figure 6a) having a microphone 71, a wireless transmitter 18, and a wireless receiver 75. The system additionally includes an associated “data processing unit” 3 (Figure 6b) that has a wireless transmitter 83, a wireless receiver 32, a voice-reproducing unit 83, and a speaker 84. Voice information captured with the stylus can be reproduced in the data processing unit’s speaker 84. It will be noted that in Ohashi the term “voice data” is used to describe recorded acoustic voice signals, as opposed to “translated voice data” or “translated voice information” as recited in Applicants’ claims 4, 8-9, 12-14, 16-17, and 23.

Parvulescu discloses a voice-messaging system in which a voice-messaging terminal 20 (Figure 1) can first convert a voice message to digitized text, and then send it to a receiving terminal 70 (Figure 2). The receiving terminal 70 can display the digitized text if such receiving terminal 70 is incapable of audibly reproducing the voice message.

Applicants respectfully assert that a *prima facie* case of obviousness has not been established, and that the suggested combination of Stevens in view of Ohashi and Parvulescu is based upon hindsight and would not have been suggested but for Applicants’ own disclosure.

The Examiner has the burden under 35 U.S.C. §103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). In

combining prior art references to construct a *prima facie* case, the Examiner must show some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art that would lead an individual to combine the relevant teaching of the references. *Id.* The MPEP §2142 contains explicit directions to the Examiner in consonance with the *In re Fine* holding:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. (Citing *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991)).

Regarding independent claim 4, a *prima facie* case of obviousness is not established, because the references fail to disclose all of the recited elements. None of the cited references discloses a mobile PDA having a wireless transmitter to transmit electronic voice signals to a personal computer (PC) for translation into translated voice information. The Examiner concedes that "Stevens as modified by Ohashi does not disclose translating voice data" and cites Parvulescu as teaching it is conventional for a computer system to convert voice into text and text into voice. However, in Parvulescu, voice-messaging terminal 20 (Figure 1), such as a two-way pager, first converts a voice message to digitized text and then sends it to a receiving terminal 70. Parvulescu does not appear to disclose transmitting electronic voice signals to a PC for translation into translated voice information by the receiving PC, because the pager itself performs the speech-to-text conversion function. In contrast to Parvulescu's system, the system recited in claim 4 off-loads the translation of electronic voice signals into translated voice information to a PC by transmitting the electronic voice signals to the PC and receiving translated voice information from the PC.

Further, there is no motivation to combine the references, nor is there a reasonable expectation of success if the references are combined. In Stevens, stylus 55 fails to contain any internal intelligence or communication capability and is merely a "dumb" stylus. The Examiner argues that it would have been obvious to substitute the "intelligent" stylus of Stevens with that

of Ohashi, "because this is an advancement for Stevens' stylus in order to capture an image and voice data with the stylus and transferring information data into the PDA of Stevens". However, Stevens already employs a built-in microphone 67 (Figure 3), so there is no motivation for adding a stylus having a microphone. Further, Stevens discloses a cordless telephone transceiver 64 (Figure 3) to conduct wireless communications between the wireless computing device 12 and the computer system 14. Thus, there is already an element in Stevens to enable wireless communication between device 12 and system 14. Thus Stevens teaches away from any combination of an "intelligent" stylus having a microphone and a transmitter.

References must be considered in their entirety, including parts that teach away from the claims. See MPEP §2141.02. If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed invention. *In re Gordon*, 733 F. 2d 900, 221 U.S.P.Q. 1125 (Fed. Cir. 1984), and MPEP §2143.01.

Third, even if the references were combined, there would be no reasonable expectation of success. Combining Stevens, Ohashi, and Parvulescu would not provide a system comprising a mobile PDA having a wireless transmitter to transmit electronic voice signals to a personal computer (PC) for translation into translated voice information, because this element is missing from Stevens, Ohashi, and Parvulescu.

Finally, there is no objective evidence to combine the references in the record, as required by *In re Sang Su Lee*, 61 U.S.P.Q.2D 1430 (Fed. Cir. 2002). There is no objective evidence in the record as to why it would be obvious to combine the stylus of Ohashi with the instruction communication system of Stevens, nor why it would be further obvious to add the speech-to-text conversion capability of Parvulescu. The complete absence of objective evidence in the record fails to satisfy the explicit requirements set forth by the *In re Sang Su Lee* court. Unless some source can be cited to support these propositions, it appears the Examiner is relying solely upon his own personal knowledge, and the Examiner is thus respectfully requested to submit an affidavit as required by 37 C.F.R. §1.104(d)(2).

In summary, because Stevens and Ohashi, when combined with Parvulescu, do not teach or suggest all of the claim limitations, and because there is no motivation (or evidence in the record) to combine the references, and further because there is no reasonable expectation of

success even if the references are combined, a *prima facie* case of obviousness has not been established, and independent claim 4 should be in condition for allowance. Because claims 5-7 and 18-19 depend from claim 4, these dependent claims should also be allowable, because any claim depending from a non-obvious independent claim is also allowable under 35 U.S.C. §103. See MPEP §2143.03. It is therefore respectfully requested that the rejection of claims 4-7 and 18-19 under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Ohashi and Parvulescu be withdrawn.

Regarding independent claim 8, a *prima facie* case of obviousness is not established, because the suggested combination of Stevens, Ohashi, and Parvulescu fails to disclose or even suggest, among other things, a PC having a processor, speech recognition software to instruct the processor to translate electronic voice signals into translated voice data, a wireless receiver to receive the electronic voice signals from a stylus, and a wireless transmitter to transmit the translated voice data. In addition, the suggested combination of Stevens, Ohashi, and Parvulescu fails to disclose, or even suggest, a PDA having a touch screen display to enter information in response to physical contact and to display translated voice data, or a wireless receiver to receive translated voice data from the personal computer and to receive electronic voice signals from the stylus.

Parvulescu is the only applied reference that teaches speech-to-text conversion, and in the Parvulescu system, speech is converted prior to transmitting it to another device in the system, whereas in claim 8 speech is first transmitted by the stylus either to the PC directly or to the PC via the PDA before being converted to text. Further, as asserted above regarding independent claim 4, there is no objective evidence in the record to support the Examiner's suggested combination of the stylus 1 (Figure 2) of Ohashi with the wireless computing device 12 (Figure 1) of Stevens. Because claims 9-11 and 20-21 depend from claim 8, these dependent claims should also be allowable. It is therefore respectfully requested that the rejection of claims 8 and 9-11 and 20-21 under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Ohashi and Parvulescu be withdrawn.

Regarding independent claim 12, a *prima facie* case of obviousness is not established, because the suggested combination of Stevens, Ohashi, and Parvulescu fails to disclose or even suggest, among other things, transmitting electronic voice signals from a hand-held stylus to a

PDA, translating the electronic voice signals into translated voice data, and storing the translated voice data in the PDA. The Examiner concedes that “Stevens as modified by Ohashi does not disclose translating voice data” and cites Parvulescu as teaching it is conventional for a computer system to convert voice into text and text into voice. However, in Parvulescu, voice-messaging terminal 20 (Figure 1) first converts a voice message to digitized text and then sends it to a receiving terminal 70. Parvulescu does not appear to disclose transmitting electronic voice signals to a PDA for translation into translated voice information and storing the translated voice data in the PDA. In contrast to the Parvulescu system, the system recited in claim 12 off-loads the translation of electronic voice signals into translated voice information, from the stylus to the PDA, by first transmitting the electronic voice signals to the PDA and then translating the electronic voice signals in the PDA.

Further, as asserted above regarding independent claim 4, there is no objective evidence in the record to support the Examiner’s suggested combination of the stylus 1 (Figure 2) of Ohashi with the wireless computing device 12 (Figure 1) of Stevens. Because claims 13-15 depend from claim 12, these dependent claims should also be allowable. It is therefore respectfully requested that the rejection of claims 12 and 13-15 under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Ohashi and Parvulescu be withdrawn.

Regarding independent claim 23, a *prima facie* case of obviousness is not established, because the suggested combination of Stevens, Ohashi, and Parvulescu fails to disclose or even suggest, among other things, a PDA wirelessly transmitting electronic voice signals to a PC, the PC receiving the electronic voice signals and performing voice recognition processing on them to produce translated data, the PC wirelessly transmitting the translated data to the PDA, and the PDA wirelessly receiving the translated data and visually displaying the translated data. The Examiner concedes that “Stevens as modified by Ohashi does not disclose translating voice data” and cites Parvulescu as teaching it is conventional for a computer system to convert voice into text and text into voice. However, in Parvulescu, voice-messaging terminal 20 (Figure 1) first converts a voice message to digitized text and then sends it to a receiving terminal 70. Parvulescu does not appear to disclose transmitting electronic voice signals from a PDA to a PC for translation into translated data, and transmitting the translated data from the PC to the PDA for visual display on the PDA. In contrast to the Parvulescu system, the system recited in claim

23 off-loads the translation of electronic voice signals into translated data, from the PDA to the PC, by first transmitting the electronic voice signals to the PC and then translating the electronic voice signals in the PC.

Further, as asserted above regarding independent claim 4, there is no objective evidence in the record to support the Examiner's suggested combination of the wireless computing device 12 (Figure 1) of Stevens with the speech-to-text conversion capability of Parvulescu. Because claims 24-27 depend from claim 23, these dependent claims should also be allowable. It is therefore respectfully requested that the rejection of claims 23 and 24-27 under 35 U.S.C. §103(a) as being unpatentable over Stevens in view of Ohashi and Parvulescu be withdrawn.

**Rejection of Claims 9, 13, 16-17 and 22 Under 35 U.S.C. §103(a)
as Unpatentable over Ohashi in View of Stevens and Parvulescu**

Claims 9, 13, 16-17 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ohashi in view of Stevens and Parvulescu.

As pointed out above, regarding Applicants' arguments for patentability of independent claims 8 and 12, claims 9 and 13 are dependent from claims 8 and 12, respectively, and they should be patentable for the reasons set forth earlier. For this rejection, the Examiner is combining the same three references, i.e. Stevens, Ohashi, and Parvulescu. Designating Ohashi as the primary reference does not overcome the failure of the asserted combination of the three references to support a *prima facie* case of obviousness, for the same reasons Applicants presented earlier.

Regarding independent claim 16, a *prima facie* case of obviousness is not established, because the suggested combination of Ohashi, Stevens, and Parvulescu fails to disclose or even suggest, among other things, transmitting electronic voice signals from a hand-held stylus to a PC, the PC receiving the electronic voice signals and performing voice recognition processing on them to produce translated data, the PC wirelessly transmitting the translated data to a PDA, and the PDA visually displaying the translated data. The Examiner concedes that "Ohashi has failed to disclose that the PC performs voice translation into text" and cites Parvulescu as teaching it is conventional for a computer system to convert voice into text and text into voice. However, in Parvulescu, voice-messaging terminal 20 (Figure 1) first converts a voice message to digitized

text and then sends it to a receiving terminal 70. Parvulescu does not appear to disclose transmitting electronic voice signals from a stylus to a PC for translation into translated data, and transmitting the translated data from the PC to a PDA for visual display on the PDA. In contrast to the Parvulescu system, the system recited in claim 16 off-loads the translation of electronic voice signals into translated data, from the stylus to the PC, by first transmitting the electronic voice signals to the PC and then translating the electronic voice signals in the PC before transmitting them to a PDA.

Further, as asserted above regarding independent claim 4, there is no objective evidence in the record to support the Examiner's suggested combination of the wireless computing device 12 (Figure 1) of Ohashi with the speech-to-text conversion capability of Parvulescu. Because claims 17-19 depend from claim 16, these dependent claims should also be allowable. It is therefore respectfully requested that the rejection of claims 16 and 17-19 under 35 U.S.C. §103(a) as being unpatentable over Ohashi in view of Stevens and Parvulescu be withdrawn.

Conclusion

Applicants respectfully submit that claims 4-27 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney, Walter W. Nielsen (located in Phoenix, Arizona) at (602) 298-8920, or the below-signed attorney (located in Minneapolis, Minnesota) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JIM A. LARSON ET AL.

By their Representatives,

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Date April 8, 2004

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 8 day of April 2004.

Name

KACIA LEE

Signature

Kacia Lee